

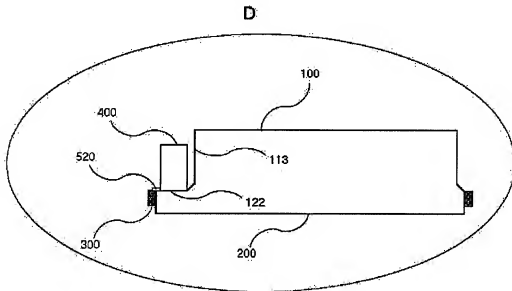
REMARKS

Claims 1, 2, 8 and 19 are pending in the application. Applicants have amended Claims 1 and 8. Applicants have not added new matter. Applicants respectfully request reconsideration in view of the following remarks.

Rejection Under 35 U.S.C. 102

Claims 1, 2 and 19 have been rejected under 35 U.S.C. 102(b) as anticipated by KR 2002-0074550 to Jeong (hereinafter "Jeong"). Applicants respectfully traverse this rejection.

First, Applicants respectfully maintain that Jeong fails to disclose the feature that "the electrode terminals of the protection circuit board contact the electrode tabs bent in a direction that is vertical with respect to the sealing surface of the case," as previously recited in Claim 1. For the Examiner's convenience, FIG. 4 (D) of Jeong is reproduced below.



The Examiner refers to tab 520 for teaching the claimed "electrode tabs," to protection circuit box 400 for teaching the claimed "protection circuit board" and to resin 300 for teaching the claimed "sealing surface." (See Office Action, page 3). The Examiner also alleges that tab 520 of Jeong extends away from the sealing surface 300 in a "vertical" direction with respect to the sealing surface. (See Office Action, page 4). Applicants respectfully disagree and maintain that the figure above clearly shows that tab 520 extends from the resin surface 300 and is bent in a direction such that it is *horizontal* with respect to the resin surface 300.

Nevertheless, solely to facilitate prosecution, Applicants have further amended independent Claim 1 to additionally recite the features that “the sealing portion comprises an interior sealing surface and an exterior sealing surface defining an outer edge,” “the electrode tabs extend from the positive and negative electrode plates, through the inner sealing surface of the case past the outer edge of the sealing portion, and are bent only once at bent portions, so as to extend in a plane that is disposed at a substantially right angle with respect to a plane of the sealing portion,” and “the vertically extending portions of the electrode tabs are positioned outwards of the outer edge of the sealing portion.” Applicants submit that Jeong fails to teach or suggest at least these additional features.

As shown in the figure above, Applicants note that tab 520 of Jeong’s device is disposed horizontally over surface 122. However, Applicants note that tab 520 does not have vertically extending portions that are positioned *outwards of the outer edge* of the resin 300. Rather, the only portions of tab 520 of Jeong’s device that are positioned outwards of the outer edge of the resin 300 extend *horizontally* over the surface 122 to connect with protection circuit box 400. Thus, Applicants submit that Jeong fails to disclose at least the features that “the sealing portion comprises an interior sealing surface and an exterior sealing surface defining an outer edge,” and “the vertically extending portions of the electrode tabs are positioned outwards of the outer edge of the sealing portion,” as further recited in Claim 1 as amended.

For at least this additional reason, Applicants respectfully request withdrawal of the rejection to independent Claim 1.

Claims 2 and 19 depend from Claim 1 and recite all the limitations recited in Claim 1 in addition to reciting further distinguishing features. For at least the reasons set forth above, Applicants respectfully request withdrawal of the rejection to Claims 2 and 19.

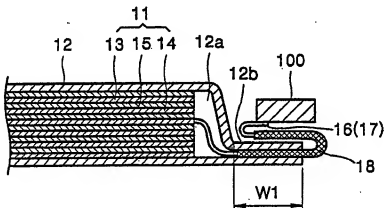
Rejection Under 35 U.S.C. 103

Claims 1, 2, 8 and 19 have been rejected under 35 U.S.C. 103(a) as unpatentable over Applicants’ Admitted Prior Art (hereinafter “AAPA”). Applicants respectfully traverse this rejection.

First, Applicants maintain that AAPA fails to teach or suggest the feature that “the electrode terminals of the protection circuit board contact the electrode tabs bent in a direction

that is vertical with respect to the sealing surface of the case," as previously recited in Claim 1. Applicants note that in the Office Action the Examiner does not refer to any teaching in AAPA for allegedly disclosing the above recited feature. To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). However, Applicants note that the Office Action is completely silent with respect to the above recited feature, and that there is no indication in the art as to why it would have been obvious in view of AAPA to arrive at the missing feature of "the electrode terminals of the protection circuit board contact the electrode tabs bent in a direction that is vertical with respect to the sealing surface of the case," as previously recited in Claim 1. Thus, Applicants respectfully submit that a *prima facie* case of obviousness has not been established.

Moreover, Applicants submit that AAPA fails to teach or suggest the above feature as previously recited in Claim 1. For the Examiner's convenience, FIG. 2 of AAPA is reproduced below.



Specifically, the Examiner refers to surface 12b as the "sealing surface," to 100 as the "protection circuit board" and to tabs 16 and 17 as the "electrode tabs." However, Applicants note that the protection circuit board 100 contact the electrode tabs 16 and 17 that are bent in a direction that is *horizontal* with respect to sealing surface 12b.

On pages 6-7 of the Office Action, the Examiner concedes that AAPA fails to disclose that the electrode tabs "are bent only once...at a substantially right angle" as recited in Claim 1. However, the Examiner alleges that it would have been obvious to arrive at this feature because it has been held that rearranging parts of an invention involves only routine skill in the art. Applicants respectfully disagree. In particular, Applicants note that the electrode tabs 16 and 17

are bent *several times* upon extending from the sealing surface 12b. Moreover, the configuration of AAPA's device and the relative location of the circuit board and electrode tabs are different from that of the present application. Applicants submit that modifying AAPA's device so that the electrode tabs 16 and 17 are bent *only once* would not have been obvious for involving mere rearrangement.

Nevertheless, solely to facilitate prosecution, Applicants have further amended Claim 1 to additionally recite "the sealing portion comprises an interior sealing surface and an exterior sealing surface defining an outer edge," "the electrode tabs extend from the positive and negative electrode plates, through the inner sealing surface of the case past the outer edge of the sealing portion, and are bent only once at bent portions, so as to extend in a plane that is disposed at a substantially right angle with respect to a plane of the sealing portion," and "that the vertically extending portions of the electrode tabs are positioned outwards of the outer edge of the sealing portion." Applicants submit that AAPA fails to teach or suggest at least these additional features.

As shown in the figure above, Applicants note that tabs 16 and 17 extend through the outer edge of sealing surface 12b and are bent several times before they are connected to the circuit board 100. However, the tabs 16 and 17 of AAPA's device do not extend past the outer edge of the sealing surface 12b such that they are bent only once at bent portions, such that they extend in a plane that is disposed at a substantially right angle with respect to a plane of the sealing portion, and further such that the *vertically extending* portions of the electrode tabs are positioned outwards of the outer edge of the sealing portion.

Thus, Applicants submit that AAPA fails to teach or suggest the feature that "the sealing portion comprises an interior sealing surface and an exterior sealing surface defining an outer edge," "the electrode tabs extend from the positive and negative electrode plates, through the inner sealing surface of the case past the outer edge of the sealing portion, and are bent only once at bent portions, so as to extend in a plane that is disposed at a substantially right angle with respect to a plane of the sealing portion," and "that the vertically extending portions of the electrode tabs are positioned outwards of the outer edge of the sealing portion," as additionally recited in Claim 1.

For at least the forgoing, Applicants respectfully request withdrawal of the rejection to independent Claim 1.

Claims 2, 8 and 19 recite all the limitations recited in Claim 1 in addition to reciting further distinguishing features. For at least the reasons set forth above, Applicants respectfully request withdrawal of the rejection to Claims 2, 8 and 19.

Claim 8 has been rejected under 35 U.S.C. 103(a) as unpatentable over Jeong and further in view of AAPA. Applicants respectfully traverse this rejection.

As noted above, Applicants note that Jeong fails to teach or suggest at least the feature that “the sealing portion comprises an interior sealing surface and an exterior sealing surface defining an outer edge,” “the electrode tabs extend from the positive and negative electrode plates, through the inner sealing surface of the case past the outer edge of the sealing portion, and are bent only once at bent portions, so as to extend in a plane that is disposed at a substantially right angle with respect to a plane of the sealing portion,” and “that the vertically extending portions of the electrode tabs are positioned outwards of the outer edge of the sealing portion,” as recited in Claim 1. Applicants submit that AAPA fails to cure the deficiency of Jeong. In particular, AAPA is cited only for disclosing a feature of an insulating tape. However, as noted above, AAPA fails to teach or suggest the above recited feature.

For at least the reasons set forth above, Applicants respectfully request withdrawal of the rejection to Claim 8.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not

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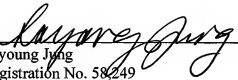
reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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